

1 abuse of the discovery process is also unprecedented in my
2 experience. And I think you ought to go in exactly the
3 opposite direction of what they are advocating.

4 They are asking for another month to complete
5 their unwarranted discovery. What I think you ought to do
6 is cut them off from conducting any further discovery other
7 than the depositions of the public witnesses and defending
8 the depositions of their own principals.

9 JUDGE SIPPEL: Have they finished the depositions
10 of your principals?

11 MR. HUTTON: They have asked for some additional
12 depositions of current or former employees of the company.
13 They -- and those are scheduled. The only one that's in
14 dispute --

15 JUDGE SIPPEL: Is Tom Root?

16 MR. HUTTON: -- is Mr. Root, but all of the
17 stockholders and directors of the company that they wanted
18 to depose have been deposed.

19 JUDGE SIPPEL: And if Mr. Root goes forward, that
20 shouldn't take more than a day, should it?

21 Well, let me ask Mr. Cole. How long is it going
22 to take to take Mr. Root's deposition?

23 MR. COLE: That I don't know. Mr. Bechtel will be
24 in charge of that, but I do not anticipate it would be more
25 than a day, no.

1 But Your Honor, there is the added factor that the
2 documents which we have requested which would normally form
3 the basis for the development of deposition questions, have
4 been slow in coming, as a result of which, for example,
5 while Mr. Bechtel was deposing Mr. Parker, I was in the next
6 room or two rooms down at Holland & Knight, reviewing the
7 minutes.

8 The minutes have a good deal of information which
9 reflect the governance of Reading Broadcasting during the
10 license term 1989 to 1994; information which, had we had it,
11 we would have asked Mr. Parker questions. It relates to
12 programming matters. It relates to the extent to which
13 shareholders participated in the governance and management
14 and operation of the station, and I believe that it's
15 matters which are directly relevant to the case.

16 Obviously, Mr. Bechtel could not know that because
17 he was in one room doing the deposition while I was in the
18 next room reading the documents.

19 Similarly, there is information in the minutes
20 which indicates that Mr. Linton, who is a local counsel for
21 Reading Broadcasting, as well as a shareholder and a
22 director, objected to a number of corporate actions which
23 were taken by Mr. Parker in -- particularly in 1991.

24 JUDGE SIPPEL: Well, this sounds like something
25 Mr. Bechtel has already written, he's given to me.

1 MR. COLE: No, I don't -- well, he may have
2 adverted to it, but this is -- yes, this is information
3 that's probably -- I believe it's in his motion that was
4 filed yesterday. That information has surfaced which, had
5 we had it, would have formed the basis of questions to both
6 Mr. Linton and Mr. Parker, both of whom have been deposed.
7 And we would propose to redepose them, using this
8 information which has since come to our attention.

9 JUDGE SIPPEL: Well, okay. I can appreciate Mr.
10 Hutton's -- I know what your concern is, but these issues
11 keep -- now, you're going to be filing a motion asking for
12 some kind of an issue or some kind of affirmative relief. I
13 mean, these all take time.

14 MR. HUTTON: I understand that, Your Honor, but
15 clearly what they have embarked upon is an attempt to abuse
16 the discovery process for purposes of filing motions to
17 enlarge issues, which the Commission's rules don't allow.

18 And now here we're faced with a statement of Harry
19 F. Cole, Esquire, based on his review of the corporate
20 minutes and his attempt to turn a boardroom dispute into
21 high crimes and misdemeanors on the part of Reading
22 Broadcasting. And I'm asking you to put a stop to it.

23 We have produced thousands and thousands of pages
24 of documents. Yes, there are some documents that we owe
25 them. The problem is, they are running a business. They

1 don't have time to drop everything else at the request of
2 Bechtel & Cole and spend their whole day producing
3 documents. We have produced cartons and cartons of
4 documents, and at this point it's becoming clear that they
5 are turning it into a circus and they are using it for an
6 improper purpose.

7 My suggestion is for you to take control of this
8 case, cut off these abuses of the processes by restricting
9 them, as I mentioned, to conducting depositions of public
10 witnesses and defending the depositions of their own
11 principals.

12 MR. COLE: Your Honor, may I be heard on that?

13 JUDGE SIPPEL: Yes, go ahead.

14 MR. COLE: Obviously, I take exception to the
15 various aspersions that Mr. Hutton is casting on myself, my
16 partner and my law firm. And of course, to the extent that
17 that washes over onto the client, I accept it on that basis
18 as well, but I hear this being more directed to Bechtel &
19 Cole.

20 The fact of the matter is, we are reacting to the
21 information that is coming to us as it is coming to us. We
22 are reacting to it within the time frames provided by the
23 Commission's rules.

24 As far as a statement from me supporting Mr.
25 Bechtel's most recent motion, the fact is, Your Honor gave

1 me access to information. I reviewed minutes. I personally
2 reviewed those minutes pursuant to Your Honor's order. I
3 did not take extensive notes, but I was given access to
4 those minutes. To the extent I perceived information in
5 those minutes which, in my mind, raised serious questions
6 about Reading Broadcasting's qualifications, I was under an
7 obligation and my law firm was under an obligation to bring
8 that to the Commission's attention or to risk waiving the
9 ability to do that, because of the timeliness aspects of the
10 petition-to-enlarge rule.

11 That being the case, we filed it. We did what we
12 had to do and we filed it. I believe that motion is well
13 supported and I believe Your Honor will find the information
14 in the minutes, which have been delivered to you, to support
15 that. To the extent that serious questions are apparent to
16 us, we have an obligation to the Commission, to Your Honor,
17 to the process and to our client to bring them to the
18 Commission's attention, to the forum's attention, so that
19 they can be disposed of.

20 The fact that they are not especially pretty
21 issues and the fact that they raise serious questions about
22 Reading Broadcasting and some of its principals is
23 unfortunate, but that's -- that happens. That happens in
24 petitions to enlarge issues.

25 JUDGE SIPPEL: Well, as I say, I'll try to give

1 these things as best attention as I possibly can. I haven't
2 decided as to whether or not I'm going to move those
3 procedural dates, but as I said, what -- my suggestion,
4 whatever I say here this morning is factored by -- is
5 conditioned by what I'm hearing here. I'm going to be
6 seeing more extensive pleadings.

7 I mean, the kind of a pleading that you are
8 envisioning, it seems to me, it's going to be pretty
9 expansive. And you're saying, yes, it is.

10 MR. COLE: Yes, it is.

11 JUDGE SIPPEL: I mean -- and so I have to look at
12 it, and they have to -- Mr. Cole's firm has to have a chance
13 to address it, and it's probably going to be a situation
14 where you're entitled to a reply. Now, I mean, that's only
15 one of several things that are pending here, but it's
16 awfully difficult to do justice by all of these things, to
17 do it the right way, and not take a little bit of time.

18 Plus if you're entitled to this privilege, this
19 information as to which privilege has been asserted, you're
20 going to get it. You're going to have the opportunity to go
21 back and talk to Mr. Gilbert about it.

22 MR. HUTTON: And where will that occur?

23 JUDGE SIPPEL: Well, anything -- his is the
24 deposition that was interrupted?

25 MR. HUTTON: His is the deposition that was

1 completed, subject to a ruling on these issues.

2 JUDGE SIPPEL: Well -- go ahead.

3 MR. HUTTON: And then we also have the depositions
4 of Podolsky and Steinfeld and Haag to complete, and my
5 position on that is that if they want to come to Washington
6 to do those depositions, that's fine. Otherwise, I don't
7 feel that I should have to go back to Chicago. I think at
8 most, we can do the depositions in Reading.

9 MR. COLE: Well, Your Honor, in the notification
10 which I filed on Friday with Mr. Gilbert's concurrence, we
11 indicated that Adams would be willing to pay airfare and
12 hotel for Mr. Hutton to return to Chicago, because we
13 recognize the imposition that the situation has caused. And
14 while we don't view ourselves to be obligated under any rule
15 or policy to do so, we felt that it was the right thing to
16 do, to make that offer. And particularly because he had
17 mentioned that at one point during our colloquy on the
18 record with you Friday morning, we felt that was an
19 appropriate offer to make, and that's -- you know, I think
20 that should accommodate his interests reasonably well.

21 MR. HUTTON: Wrong, Your Honor. It doesn't begin
22 to compensate my client for the costs they've incurred as a
23 result of Adams's actions there.

24 Number two, as indicated, I've tried to limit my
25 out-of-town overnight travel. That's why I haven't stayed

1 overnight in Reading. I've come back and forth.

2 So, no, the imposition should be on them at this
3 point.

4 MR. COLE: Your Honor, I appreciate Mr. Hutton's
5 personal concerns. I share those concerns. I have two kids
6 at home. I like to be with my kids as much as possible. I
7 recognize also I have an obligation to my client and to this
8 process to participate as fully as I can. And if I need to
9 go out and stay overnight somewhere, I will do that. I
10 don't like to do it. I view it as an imposition as well.
11 But you know, I'm sorry for Mr. Hutton that that's his
12 situation, but you know, we all have that problem.

13 JUDGE SIPPEL: Let me just ask this question. How
14 many more witnesses do you have? You have Mr. Haag. Are
15 you finished with Mr. Podolsky?

16 MR. COLE: No.

17 MR. HUTTON: No, we didn't start.

18 MR. COLE: We have --

19 JUDGE SIPPEL: You didn't start him.

20 MR. COLE: Your Honor, we have three, we have
21 three Adams witnesses.

22 JUDGE SIPPEL: Podolsky.

23 MR. COLE: Podolsky, Haag and Steinfeld. Podolsky
24 and Haag were scheduled for Friday. Mr. Steinfeld was in
25 transit from Israel and was going to have to be rescheduled

1 anyway, but he, I understand, is back in the country now and
2 is available. And to the extent that there are any followup
3 questions with Mr. Gilbert, there would be some portion with
4 Mr. Gilbert.

5 JUDGE SIPPEL: Now, you went fast. I got -- Mr.
6 Haag and Mr. Podolsky were to be finished on Friday?

7 MR. COLE: Yes.

8 JUDGE SIPPEL: And then it was Mr. Steinfeld --

9 MR. COLE: Steinfeld was going to have to be
10 rescheduled in any event.

11 JUDGE SIPPEL: Well, absolutely -- I mean,
12 absolutely in light of -- I mean, you know, I'm trying to be
13 very, very -- I'm trying to keep myself on a very even keel
14 here, but this situation with respect to the conflict
15 question has really got me concerned. And I don't think
16 that -- I don't think that it's fair at all.

17 Mr. Hutton was -- I mean, he was literally thrown
18 out of this deposition on Friday because we thought we had
19 something that was really something serious, and it is
20 serious, but it certainly is not in any way in the same --
21 in the context that -- when it was raised.

22 I'm going to require those Friday depositions
23 certainly to be completed here in Washington, and not only
24 in Washington, but at Mr. Hutton's convenience, subject of
25 course to the convenience of the witnesses. But Mr.

1 Hutton's situation is going to have to be accommodated as
2 well on those. And since we're talking those two here, we
3 might as well finish the other ones here too.

4 MR. COLE: Okay.

5 JUDGE SIPPEL: So we'll finish the Adams
6 witnesses, the principals anyway, here in Washington, D.C.
7 And if you're having trouble getting a schedule worked out
8 on that, Mr. Hutton, you come to me and let me know.

9 Now, I've got to have minutes I've got to take a
10 look at. I've got to schedule around a pleadings on this
11 privilege.

12 January 21st is this Thursday. I think you, Mr.
13 Hutton, you and your associate can get something together by
14 the end of the day on Thursday?

15 MR. COLE: October 21st, Your Honor?

16 JUDGE SIPPEL: Did I say January? I meant
17 October, or do I have January in front of me? October 21st,
18 I'm sorry. October 21st is this Thursday.

19 It doesn't have to be anything elaborate. I'm
20 just looking for points and authorities on privilege with
21 respect to the attorney/client privilege, work product with
22 respect to the fees issue.

23 MR. HUTTON: We can do that.

24 JUDGE SIPPEL: Okay. Then January 25th, which is
25 Monday, and that means it's hand delivered by close of

1 business on Thursday.

2 MR. HUTTON: You said January again, sir.

3 JUDGE SIPPEL: I'm sorry. October. I'm sorry.

4 October the 21st being a Thursday, by the close of business

5 Mr. Cole will have, hand delivered, your motion on

6 privilege, and by Monday, October the 25th, which gives you

7 all day Thursday, all day Friday and virtually all day

8 Monday, you will file and deliver to me by -- or at least

9 fax it to me, as you have in the past, your opposition.

10 Okay?

11 MR. COLE: Yes, Your Honor.

12 JUDGE SIPPEL: So we're clear on that. October

13 21st for Reading; October the 25th for Adams -- covering all

14 the privilege aspects, that is, work product and

15 attorney/client.

16 All right. And I will issue a ruling on that as

17 quickly as I possibly can, and that will be soon. I mean,

18 that will be a quick turnaround.

19 Now, what about the minutes?

20 MR. HUTTON: Those were delivered over here late

21 last night, before the seven p.m. deadline, to the

22 secretary's office, together with our pleading on that

23 point.

24 JUDGE SIPPEL: Okay. Well, I'm supposed to be

25 looking at those in camera. I hope that they are not going

1 to be inadvertently put on the secretary's whatever.

2 MR. HUTTON: We'll check and find out where they
3 are located.

4 JUDGE SIPPEL: Okay. Now, you know my legal tech
5 will work with you on that. I've alerted her to that. I
6 said, whatever it's going to take to accommodate getting me
7 those minutes in camera, I'll take care of them.

8 MR. HUTTON: Okay.

9 JUDGE SIPPEL: But you have to work it on your end
10 too if you've already dropped them off here.

11 MR. HUTTON: Yes, I understand.

12 JUDGE SIPPEL: Now, there is an -- you filed an
13 objection to the Root deposition and you have, I think,
14 under the pleadings cycle, you have to come in with
15 something tomorrow in writing.

16 MR. COLE: That's correct, Your Honor, and we
17 will.

18 JUDGE SIPPEL: Well, I'll reserve on that. I
19 mean, you have already said it very clearly in your -- do
20 you want to add anything more?

21 Let me tell you what I feel about Root. I think
22 there is a -- first of all, I think anybody who is in this
23 business who hires on Mr. Root, in light of his reputation,
24 is taking a certain element of risk. I don't mean to say
25 that there are any inferences or suggestions or

1 presumptions, but it certainly does raise -- there is an
2 element of risk.

3 As I understand it -- and correct me if I'm wrong,
4 but as I understand it, he was hired on as -- first, he was
5 hired on as a consultant, and then after that, after a
6 period of time, maybe about a year, he became the executive
7 assistant -- let me correct myself on that -- a personal
8 assistant or an assistant to the president, Mr. Parker?

9 MR. HUTTON: That's right. He doesn't work at the
10 station. He works from an office or his home in Ohio
11 somewhere.

12 And our view of it is that he has paid his debt to
13 society. He does not control policy issues at the station,
14 doesn't control programming, personnel, et cetera.

15 And with respect to the issues in this case, he
16 does not have personal knowledge of what went on at the
17 station from '89 to 1994, because he didn't work there then.

18 JUDGE SIPPEL: Eighty-nine to '94 is the -- that's
19 the renewal period.

20 MR. HUTTON: Yes.

21 JUDGE SIPPEL: But you've got a -- you've got a
22 past broadcast experience issue.

23 MR. HUTTON: Not with Mr. Root.

24 JUDGE SIPPEL: That's true, it's not with Mr.
25 Root. It's not with Mr. Root.

1 MR. COLE: But Your Honor, we have raised Mr. Root
2 in connection with our request for an unusually poor
3 broadcast record.

4 MR. HUTTON: Right, but that's just a pending
5 motion, and you don't have the right to discovery on
6 something that's just a pending motion.

7 JUDGE SIPPEL: The unusual poor broadcast motion?
8 The unusually poor broadcast motion?

9 I'm looking through my order file here. I thought
10 that I had issued a ruling on that. Yes, 99M-60.

11 MR. COLE: Six-zero?

12 JUDGE SIPPEL: Six-zero. It was released on
13 October 15th. Are you not getting these?

14 MR. COLE: I did not see that.

15 MR. HUTTON: We've never seen that one, Your
16 Honor. What was the ruling?

17 JUDGE SIPPEL: What was the ruling? Well, I'm not
18 going to try and do it from memory. I'm going to take a
19 look at what I ruled.

20 On page 9, I say, "For the foregoing reasons, it
21 is ordered that the threshold showing of unusually poor
22 broadcast record filed by Adams on September the 3rd is
23 denied." And that was released on October the 15th.

24 MR. HUTTON: All right, so that eliminates that as
25 a potential area of inquiry for Mr. Root.

1 JUDGE SIPPEL: That's correct.

2 MR. COLE: But Your Honor --

3 JUDGE SIPPEL: Did you know I also issued one on
4 October 15th with respect to the permission to file an
5 appeal?

6 MR. COLE: No.

7 JUDGE SIPPEL: Well, I did.

8 MR. COLE: Could you give us the resolution there?

9 JUDGE SIPPEL: It was ordered that the issue that
10 was requested by the Bureau and yourself on the advice to
11 the Commission on the former violations, that issue was
12 added, with the burden of proceeding and the burden of proof
13 assigned to Adams for reasons stated in the decision. And
14 the other appeal, the appeal of the first issue on the 10-
15 year ban, was turned down.

16 Now, I will -- I will have my legal tech get in
17 touch with your offices and work out some kind of a -- the
18 quickest way to get this to you.

19 MR. COLE: So far, the e-mail approach has not
20 been bad, at least in my experience, although it would be
21 nice to have some notice of when they actually show up,
22 because it becomes a kind of hit-and-miss thing, checking
23 the e-mail box to see whether anything has come in the door.
24 But once it arrives, it's there and we can print it out
25 fairly easily.

1 JUDGE SIPPEL: Well, these are not sent -- these,
2 I'm relying -- these are MO and Os, and they are multipage
3 rulings. I'm relying on our regular system to get these to
4 you.

5 MR. COLE: Okay.

6 JUDGE SIPPEL: If I have a two-day notice on a
7 conference, well, I guess -- I mean, I'm going to fax or do
8 anything I can to get it to you. But I'm not having
9 multipage documents faxed to you. I mean, I will now, to
10 get this done today.

11 MR. COLE: But Your Honor, as a practical matter,
12 e-mail, I don't believe, has the same kind of practical
13 difficulties as faxing. That is, it's just a couple of
14 clicks and then it shows up on our screen and we can print
15 it out there.

16 JUDGE SIPPEL: I understand that. But I'm making
17 the -- I'm using my discretion on this. And as a matter of
18 general practice at the Commission, public orders are not to
19 be released in advance of becoming public.

20 Now, I make exceptions with respect to procedural
21 orders because that's the only way we're going to keep the
22 train running, as slow as it is now. But something like
23 these MO and Os on substantive issues, I have not been, as a
24 matter of course, instructing her to put them on e-mail or
25 anything; just let them go through the regular course of the

1 mail, which should get to you in a reasonable period of
2 time.

3 MR. COLE: My experience, including recent
4 hearings in front of Judge Frysiak, is that it takes a
5 pretty long time for ALJ orders to get out into the mail, or
6 at least, into my mailbox.

7 JUDGE SIPPEL: Well, I will do as I will -- I will
8 talk to my tech about it. I don't want to tell you now
9 exactly what she will do, but I'm -- what I'm inclined to do
10 is, on the release date on these other, you know,
11 substantive rulings, that I will at a minimum put them in
12 the mail to you personally.

13 MR. COLE: Yes.

14 JUDGE SIPPEL: I mean, I'll have her do that. I'm
15 a little bit disturbed to hear that. Well, I'll inquire
16 into the administrative end of this as to what happening,
17 because you should have had those.

18 MR. COLE: And Your Honor, if I might be heard,
19 Mr. Hutton made some argument about Mr. Root, and I just
20 want to state for the record that obviously we disagree with
21 a number of the points he has made, but we intend to address
22 those in a responsive pleading rather than here today, if
23 that's acceptable to Your Honor. And our responsive
24 pleading, I believe, you stated is --

25 JUDGE SIPPEL: No, you don't have to respond until

1 the 20th. I'm just -- I'm flushing this out myself right
2 now, to take advantage of this opportunity. I'm not
3 convinced one way or the other yet on it. But as I said up
4 front, this -- Mr. Root is serving as an advisor to the
5 president, and Mr. Root does not -- you know, he doesn't
6 carry a good reputation around here.

7 On the other hand, you're absolutely right. I
8 mean, it is not -- people are entitled to rehabilitate
9 themselves and get their lives in order and move on. But
10 you know, it's a red flag. I just have to -- I have to
11 satisfy myself on it.

12 All right. You know, I don't know if I have
13 anything more. We've spent so much time on all this.
14 Forget what I said about, you know, about being inclined to
15 look favorably on changing these procedural dates. I'm
16 going to take a very careful look at what I see in terms of
17 Mr. Hutton's response. You definitely do have a point.
18 This case has not been kept on the schedule that we had
19 anticipated.

20 On the other hand, the Commission's rules do
21 provide for adding issues, and I understand also that you're
22 not allowed to get discovery for purposes of going looking
23 for issues. But if you get information in the course of
24 appropriate, acceptable discovery and it turns out that an
25 issue is there, at a minimum, at a minimum, the issue as to

1 what to do with the issue has to be addressed, and I'm very
2 interested in terms -- obviously, I'm interested in terms of
3 what the Bureau has to say about these things, although I'm
4 going to handle the conflicts question, obviously, on my
5 own.

6 But we just have to -- I mean, I don't know, I
7 understand what you're saying, Mr. Hutton, and I don't want
8 to say that you're speaking out of order on this. I don't
9 feel happy in terms of the progress of this case. I think I
10 have been able to work cases better than this, as far as
11 speed is concerned. On the other hand, you're giving me a
12 lot to deal with.

13 I'm going to leave it like this. You know, I will
14 rule on things as they come in as best I can, and we -- you
15 know, we certainly will have another conference, I'm sure,
16 probably within the next two weeks.

17 Is there a particular point in time which is
18 really bad for everybody in terms of being out of town or in
19 terms of discovery? Any particular days within the next two
20 weeks?

21 MR. HUTTON: Well, we're doing out-of-town
22 depositions for the balance of this week and for, I think,
23 at least on Monday of the following week. And depending on
24 your ruling on Mr. Root, we may have to go out of town for
25 that one.

1 MR. COLE: Aren't there depositions all next week
2 too? I thought there were depositions of public witnesses
3 next week.

4 MR. HUTTON: Not next week, the public witnesses;
5 employees or former employees.

6 JUDGE SIPPEL: Well, I'll wait until I -- you
7 know, I've got to -- obviously have to rule on your motion.
8 I'm going to have to rule either on Mr. Bechtel's motion
9 with respect to the changing of time -- and I've got to wait
10 until I see what Mr. Hutton has to say, and I obviously know
11 his feelings, how strong his feelings are on this. I will
12 give it a very, a very hard look.

13 If I need -- it may need to be -- I may need to
14 get some oral argument on it, based on what I see. I am
15 concerned about what Mr. Bechtel said about his health.
16 I'll acknowledge that right up front. On the other hand,
17 you know, I just don't know -- I don't know how to -- I
18 don't know how to deal with that. I mean, he is -- there is
19 an element of assumption of risk perhaps, but I don't take
20 it lightly.

21 And on the other hand also, I recognize the fact
22 that a lot of the work is being generated from the Bechtel &
23 Cole side of the table, your position being that for good
24 reason, and I -- you know, that's counsel's job. I don't
25 know what to do about that right now, but I -- I mean, in

1 terms of taking it into consideration.

2 But I think the schedule that was set, under the
3 circumstances at the time it was set, was very reasonable,
4 and it was adjusted one time to accommodate all these
5 things. There's going to come a point in time when we have
6 to go to hearing on this.

7 All right, certainly I'll -- you know, I'll
8 accommodate you to the extent of -- when I call the
9 conference, I'll be sure that everybody is in town and
10 everybody is -- you know, that is reasonably convenient to
11 everybody, and it will probably be within the next two
12 weeks. It will probably be something before the 29th.

13 Anything else?

14 MR. HUTTON: No, sir.

15 MR. COLE: No,

16 JUDGE SIPPEL: All right, I will try to be
17 available for any questions on these depositions. There
18 shouldn't be any, because these are public witnesses.

19 MR. COLE: Right.

20 JUDGE SIPPEL: And I'll wait to receive your
21 pleadings on the privilege.

22 Thank you.

23 MR. COLE: Thank you, Your Honor.

24 JUDGE SIPPEL: And we're in recess until the next
25 time.

1 (Whereupon, at 11:10 a.m., the hearing was
2 recessed, to reconvene sine die.)
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REPORTER'S CERTIFICATE

FCC DOCKET NO.: 99-153

CASE TITLE: IN RE: READING BROADCASTING

HEARING DATE: October 19, 1999

LOCATION: Washington, DC

I hereby certify that the proceedings and evidence are contained fully and accurately on the tapes and notes reported by me at the hearing in the above case before the Federal Communications Commission.

Date: 10-19-99

Both Roots
Official Reporter
Heritage Reporting Corporation
1220 L Street, N.W., Suite 600
Washington, D.C. 20005-4018

TRANSCRIBER'S CERTIFICATE

I hereby certify that the proceedings and evidence were fully and accurately transcribed from the tapes and notes provided by the above named reporter in the above case before the Federal Communications Commission.

Date: 10-22-99

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Official Transcriber
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I hereby certify that the transcript of the proceedings and evidence in the above referenced case that was held before the Federal Communications Commission was proofread on the date specified below.

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